
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

Mario VILLAMAN-PUERTA,
a/k/a "Rafael ALMONDOVAR,"
a/k/a "Rafael ALMODOVAR,"
a/k/a "Jose L. TORRES,"
a/k/a "David MEDINA," and
a/k/a "Manual BILLAMAN"

:
:
: **CRIMINAL COMPLAINT**

:
: Hon. Claire C. Cecchi

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: Mag. No. 09-4000
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I, Sean Brennan, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about October 30, 2008, in Hudson County, in the District of New Jersey and elsewhere, defendant Mario VILLAMAN-PUERTA,


being an alien who was deported and removed and had departed the United States while an order of deportation and removal was outstanding subsequent to his conviction for the commission of an aggravated felony, and thereafter, without the express consent of the Attorney General of the United States to reapply for admission prior to his re-embarkation at a place outside the United States, did knowingly and willfully enter and was found in the United States,

in violation of Title 8, United States Code, Sections 1326(a) and (b)(2).

I further state that I am a Deportation Officer with the United States Bureau of Immigration and Customs Enforcement and that this complaint is based on the following facts:

SEE ATTACHMENT A

continued on the attached pages and made a part hereof.



Sean Brennan, Deportation Officer
U.S. Immigration and Customs Enforcement

Sworn to before me and subscribed in my presence,
January 30, 2009, at Newark, New Jersey



HONORABLE CLAIRE C. CECCHI
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

I, Sean Brennan, a Deportation Officer for U.S. Bureau of Immigration and Customs Enforcement ("ICE"), having conducted an investigation and having spoken with other individuals, have knowledge of the following facts:

1. Defendant Mario VILLAMAN-PUERTA, a/k/a "Rafael ALMONDOVAR," a/k/a "Rafael ALMODOVAR," a/k/a "Jose L. TORRES," a/k/a "David MEDINA," and a/k/a "Manual BILLAMAN," is a native and citizen of Mexico.
2. On or about June 17, 2002, VILLAMAN-PUERTA was convicted in Cook County, Illinois, for Possession of a Controlled Substance with Intent to Deliver, to wit: Cocaine, in violation of Illinois Statute 720-570/401(C)(2) and was sentenced to 24 months probation. VILLAMAN-PUERTA has an outstanding warrant with the Cook County Sheriff's Office, Maywood, Illinois. The Cook County Sheriff's Office does not wish to extradite VILLAMAN-PUERTA back to Illinois.
3. On or about July 9, 2002, upon a finding that he had been convicted of an aggravated felony, VILLAMAN-PUERTA was ordered deported from the United States to Mexico. On July 12, 2002, VILLAMAN-PUERTA was removed from the United States to Mexico pursuant to that order.
4. On or about October 30, 2008, VILLAMAN-PUERTA was again found in the United States as evidenced by his apprehension in Hudson County, New Jersey, by agents with ICE and the Drug Enforcement Administration.
5. Analysis of defendant's fingerprints taken by ICE officers on or about November 3, 2008 and the fingerprint contained on the Warrant of Deportation executed on July 12, 2002, confirm that they came from one and the same individual, namely, the defendant VILLAMAN-PUERTA.
6. During an interview with ICE officers, defendant was read his rights and thereafter admitted that he is a citizen and national of Mexico and did not claim to possess any type of immigration document permitting him to enter, transit, or reside in the United States.
7. Records reveal that the Attorney General of the United States did not expressly consent to either VILLAMAN-PUERTA's reapplying for admission to the United States prior to his reembarkation at a place outside the United States or his entry into the United States.